

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 SCA-01 L-03 IO-13 PM-07 NSC-10 SS-15

RSC-01 CIAE-00 DODE-00 INR-10 NSAE-00 PA-03 USIA-15

PRS-01 EURE-00 SAJ-01 NIC-01 ACDA-19 RSR-01 /127 W

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P R 251641Z JUL 73

FM USMSISSION BERLIN

TO AMEMBASSY BONN PRIORITY

INFO SECSTATE WASHDC PRIORITY 2135

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 1273

E.O. 11652: GDS

TAGS: PGOV, WB, GE, GW

SUBJECT: PRIVILEGES AND IMMUNITIES FOR GDR PERMANENT MISSION

REF: KLEIN-SUTTERLIN LETTER OF MARCH 29, 1973

1. ALLIED MISSIONS ARE PREPARED TO ISSUE FOLLOWING
BK/O AUTHORIZING EXTENSION TO WEST BERLIN OF FRG LAW
PROVIDING PRIVILEGES AND IMMUNITIES TO GDR'S PERMANENT
MISSION IN BONN ANALOGOUS TO THOSE CONTAINED IN
VIENNA CONVENTION ON DIPLOMATIC RELATIONS:

BEGIN TEXT:

SUBJECT: FEDERAL LAW PROVIDING PRIVILEGES AND IMMUNITIES
TO THE "STAENDIGE VERTRETUNG OF THE GERMAN
DEMOCRATIC REPUBLIC"

REF: BK/O(64)3;

BK/L(73)21 (ON THE GRUNDVERTRAG AND OTHER
INNER-GERMAN AGREEMENTS)

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1. THE ALLIED KOMMANDATURA, HAVING NOTED THE EXTENSION

TO BERLIN OF THE LAW CITED ABOVE, BY ANWENDUNGSGESETZ,
ORDERS AS FOLLOWS:

(I) THE PROMULGATION IN BERLIN OF THE LAW EXTENDING
THE FEDERAL LAW CITED ABOVE SHALL IN NO WAY
AFFECT THE LEGAL PROVISIONS IN FORCE IN BERLIN
WITH REGARD TO THE DEFINITION OF PRIVILEGES AND
IMMUNITIES OR THE DESIGNATION OR STATUS OF
PERSONS ENTITLED THERETO.

(II) IN PARTICULAR IT SHALL IN NO WAY AFFECT THE
COMPETENCE OF THE ALLIED AUTHORITIES TO DETERMINE
AT ANY TIME, IF AND SO FAR AS MAY APPEAR TO THEM
TO BE NECESSARY, THE EXTENT OF ENTITLEMENT TO
PRIVILEGES AND IMMUNITIES IN BERLIN.

2. THIS ORDER WILL BE TRANSMITTED TO THE GOVERNING
MAYOR, BERLIN, FOR SUCH ACTION AS MAY BE NECESSARY IN
RELATION TO IT, INCLUDING PUBLICATION IN ACCORDANCE WITH
BK/O(64)4./S/ CHAIRMAN DEPUTY COMMANDANT
END TEXT.

2. EMBASSY AND DEPARTMENT WILL NOTE THAT DRAFT BK/O
CLOSELY FOLLOWS PATTERN PROPOSED BY MISSION IN REFERENCED
LETTER. RATIONALE OF LEGAL COMMITTEE MEMORANDUM TO
ALLIED KOMMANDATURA, WHICH IS BEING POUCHED, ALSO
CLOSELY FOLLOWS THAT IN REF.

3. SENAT HAD INTENDED TO REQUEST HOUSE OF
REPRESENTATIVES TO ADOPT LAW THROUGH SPECIAL
MANTELGESETZ PROCEDURE AT FINAL HOUSE SITTING BEFORE
SUMMER RECESS FIRST WEEK OF JULY, BUT MISSIONS REQUESTED
SENAT DELAY SINCE WE CONSIDERED IT WOULD BE PREFERABLE
FOR AUTHORIZING BK/O EXPRESSING ALLIED RESERVATIONS TO BE
ISSUED BEFORE LEGISLATION ADOPTED IN BERLIN. WE WOULD
EXPECT SENAT WILL WISH TO PRESENT LAW TO RESUMED SESSION
OF HOUSE IN SEPTEMBER.BORG

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